G. R. S. IX-5]

Previous references.

Prot 62-17 (1-5)
Prot 31-19 (4+6)
98-16
74-15

Later references.

1920 (Prot)

Printed

File No. 42-20

Serial Nos 3-8

(30)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3-8

Part B for September 1921.

SUBJECT.

Acquisition of S. no 16 of Tyumabattakalli village comprised in ML mining lease granted to Mr V. Manickavelu Mudaliar

---

1904 A 21-9-21.

To The Director of Geology.

States that the acquisition of the land cannot be ordered as the price demanded is not unreasonable nor prohibitive

WD 1888—GPB—16,926—28-7-21

G. R. S. 11] 1920-21

GENERAL AND REVENUE SECRETARIAT.

(Geo-( )

NOTES

File No. 42 20

FILE HEADING.

Mineral leases applied for & held by Mr V. Manickavelu Mudaliar.

From

The Director, Dept of Geology

No. 1191 Dated 11/17-1-21 Received 18-1-21

Diary No. 7810	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

States that the endeavours of Mr. V. Manickavelu Mudaliar to enter into amicable settlement with the surface owners of S. no. 14 containing 16 acres and 8 guntas in the Ayinabetta halli village have proved futile ~~that~~ but the land in question is necessary for carrying on mining operations ~~by him~~ & as he is willing to pay reasonable compensation recommends therefore that sanction may be accorded to the acquisition of the land in question.

NOTES AND ORDERS.

DEWAN'S OFFICE.
Recd. on JAN 29 1921
Reg. No. 5029

Submitted for orders. A draft sanctioning the recommendation is put up for approval (2) The draft action may be taken

AMS. 22-1-21 (1st Member) 24/1/21

170 24/1

3 Dewan) 28/1

NOTES—First Sheet.

Serial No.	
5029	4 Is it not necessary that the lease should firs be executed before acquisition of the lands compris in it is ordered under Rule 57 of the Mining Rules and Clause 34 of the Mining Lease?
H X	5 I do not also think that acquisition can be ordered on the grounds alleged by the present lessee He says that his endeavours to enter into an amicab settlement with the owners have proved fruitless and that in one or two cases he has not been able to ascertain the rightful owners of the hands. It is obviously his duty to find out who the owners are and ascertain their terms. Acquisition cannot be ordered unless Government are satisfied that the terms of the owners are unreasonable and the rights under the lease will be unduly restricted if this step is not adopted.

9.2.21

eng 11/2

(1st member)

Send notice that the lease. shows the terms he may be called to state that he is ready & the clerk that he says [illegible] come to terms intimate the fact

12/2

The gm work agents for Burma please also letter Gleeson (enclose

NOTE—Contn. sheet.

[illegible]

7810

G. R S. III-2]

General and Revenue Secretariat. | Geol File No. 42 of 1920-21

Serial No.

9 Submitted with a draft as directed

AHS 12-2-21

To Issue & re-submit.

14/2/21.

4 To The Director, Dept of Geology.

No G1 15928 dt 14-2-21.

Enquiries whether it is not necessary that the lease should first be executed before the acquisition of lands comprised in it is ordered & requests that necessary further information may be obtained & a detailed report submitted to Govt. in this matter.

11) Resubmitted

AHS 15-2-21.

11) Enquiry has been made as directed in the first Members minute of 12th Feb 1921 with reference to the query in the margin & why the case was not marked for submission to the Devan in the first instance by the submission now to the Member — the case was submitted to the Member for Mtt Legs when it was noticed by me & found that in a similar case relating to Doddakatte mines in the Kolar Gold Fields, the Devan had also been called in the words of the case "as first advised" & I understand has consented to the Hon. Mr.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Gen'l File No. 4-2 of 19 20-21.

Serial No.

hereto be received back with a view. It was considered necessary ~~to~~ to submit the cases to the Secretariat for the ascertainment of the number of members to the Senate before submission of the Memorandum to the (41 Members) Govt

112/1912

20/2

P20

NOTE—Contn. sheet.

G.R.S. III—3]

Routine Notes.

Genl 42-20

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D. 10626

fl 5

Petn addressed to the Dewan of mysore by muddukrishnaiah Brick & Tiles Contractor, Bangalore — stating that M V.J. Manicka velu mudaliar, Promoter of the mysore Industrial Bank, has been trying to deprive the petr of his land, S.No. 14, of Arjunabettahalli village, relating Land by petitioning to govt. for forcible acquisition of the land nominal price to suit his own and praying that Mr. Manickavelu mudalia's application may be rejected.

14 Chief Secy's note on the pet "Is there a proposal to acquire this land? Please let me see papers

(Intd.) K.M 29.4.2

15 Subd. with the linked file (no Genl. 42-20) connected with this question In that file, the Director of Geology has recommended the acquisition of (refd to in the petn), which includes

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

---

of 5 acres 12 guntas owned by the petr. A report on certain points has been called for from the Director of Geology & his reply is awaited. X. E.

ND.
4.5.24 Rly—

Chief Secy). 6/5/24

Seen—
may be
compliance with the manual

[G. R. S. III-2]

General and Revenue Secretariat.

Geol File No. 42 of 1921

Serial No.	
6	From the Director, Dept of Geology No 1978 dy 14/17-6-21. States for reasons given that the acquisition proceedings need not be deferred until the lease is actually executed; forwards a copy of letter from Mr. Manickavelu Mudaliar showing that the demands made by the owners of the surface rights are unreasonable and promises to submit a further report on hearing from the local Revenue Authorities in the matter. Submitted with reference to paragraphs 4 to 7 above. May the receipt of the further report promised by the Director be awaited? AHS. 29-6-21. Yes 29/6/21
7	From the Taluk Officer No 218 dy 9-8-21 States that the Revenue authorities are of opinion that the cultivated portion of S No 14 is sold Rs 40/- per acre & uncultivated portion Rs 30/- per acre whereas some of the occupants demand Rs 120/- per acre which is unreasonable & recommends that the acquisition of the land in question may be sanctioned. Submitted with reference to paragraphs 4 to 7 above. AHS. 16-8-21. 17 above

NOTE—Contn. sheet

Serial No.

Mr. Manickavelu Mudaliar states that his endeavours to enter into an amicable settlement with the surface owners of S. No.14 in Ayjunabettahalli village in the Nelamangala Taluk have proved futile but that the land in question is necessary for carrying on mining operations and that he is willing to pay reasonable compensation. He therefore requests that the surface rights in the land may be ordered to be acquired on his behalf. The Director recommends that the land may be so acquired.

In a similar case relating to that Dodkattur village in the Mysore Taluk, the Dewan was pleased to observe as follows:-

> "The mining rules of all States provide that no private land shall be entered upon by the licensee without the consent of the occupier. Our rules in regard to this matter are all right but the obligation imposed by this rules on the licensee will be deprived of its wholesome restriction if the lands comprised in the lease are ordered to be acquired under the Land Acquisition Regulation on the mere application of the lecensee as has been done in some cases. No lands should be ordered to be acquired unless the terms of the occupier are, in the opinion of Government, unreasonabl and unless the refusal is likely to unduly restrict the rights of the licensee. The rules presuppose a hearing being given to the private owner whose lands are requested to be acquired. This should be done in the case of lands in Dodkattur village over which the Tata Iron and Steel Co., have been given a mining lease"

The S. No.14 of Ayjunabettahalli now proposed to be acquired on behalf of Mr. V. ManickaveluMudaliar measures 16 acres 8 guntas of which:-

NOTE—Contn. sheet.

Serial No.

(1) 5 acres 12 guntas are owned by Muthu Krishna Pilla;

(2) 5 " 19 " are owned by Eara.

& (3) 5 " 17 guntas owned by Ajja.

2. Mr. Manikavelu Moodaliar says he is willing to pay about Rs.10 per acre, whereas Eara and Ajja demand Rs.120 per acre and Muthukrishna Pillay has filed a petition protesting altogether against the acquisition of his land. The highest ~~price~~ rate prevailing in the village, for dry lands is stated to be Rs.150 per acre. The Local Revenue Authorities are of the opinion that the lands under cultivation are worth Rs.40 per acre and those left uncultivated Rs.30 per acre.

3. Rule 57 of the Rules for the grant of Pfospecting Licenses and mining leases provides that licenses and leases, while conveying exclusive rights to specified minerals over definite blocks, specifically debar the licensee or lessee from entering upon or mining beneath the surface of any occupied lands within such blocks without previously acquiring the surface rights or obtaining the consent of the owner in writing. If the ~~xxx~~ terms offered by the owner are in the opinion of Government unreasonable and likely to hinder or unduly restrict the exercise of their rights to the mineral by Government or by the licensee or the lessee, the lands in

Serial No.

question may, at the absolute, discretion of Government, be acquired in accordance with Sec.38(2) of Land Revenue Code.

26 The words "without previously acquiring the surface rights or obtaining the consent ~~x~~ in writing of the owner or occupier of the land" would go to show that the lessee should himself nogotiate for the acquisition of such rights and that Government intervention should be sought only as a last resort Up to date there do not appear to have been any cases in which Government have ordered such acquisition of surface rights on behalf of private individual lessees. The only point in dispute in this case is about the value to be paid by the lessees to the owners of the lands. Considering that the value of good land in the village is estimated at Rs.150 per acre and that the occupants will be put to considerable annoyance and be temporarily deprived of the enjoyment of their property and that moreover the compensation realisable from the lessees under clause 34 of the mining lease is not at all likely to be proportionate to the extent of the damage, caused to the property, it would appear that the rate of Rs.120 per acre demanded by the occupants is a fair rate to which Mr. V. Manikavelu Mudaliar should not ~~xxxxxx~~ demur. Probably even Mr. Muthu Krishna Pillay

NOTE—Contn. sheet.

Serial No.

who objects to the acquisition would agree if he is offered a reasonable sum as compensation.

2) All things considered this appears to be a case in which matters should be settled without any intervention on the part of the Government as the contention of the owners cannot be considered unreasonable and there is absolutely no point in saying that the rights of the lessee under the mining lease will be unduly restricted

3 Submitted for orders with reference to the Dewan's minute dated the 9th February 1921 (para 5 supra)

MSR
2.9.21

Genl Secy)

4) I am in entire concurrence with the views recorded above The case of the owners of lands must receive every consideration and the price demanded in this instance can not be said to be so unreasonable as to demand the intervention of Govt The lessee should be left to negotiate with the parties I think It is noteworthy that no cases have, so far, been sanctioned in such cases

1st member & Dewan) 9.7.0

MSR
5.9.21

NOTE—Contn. sheet.

G. R. S. III-2j

946

General and Revenue Secretariat. | Govt File No. 42 of 1910.

Serial No.

1707-127
7.9.21

I am in full agreement with the views expressed in the office notes. I do not think the L.A.R. Act should be set in motion in a case like this. The holders of the lease must pay reasonable compensation to acquire the surface rights. It does not appear that any intervention on the part of Govt is called for. The holders of lands require every consideration at the hands of Govt. this is a point of primary necessity.

Recd
9.9.21

I agree
Recd
12.9.21

Drafted
12.9.21

Submitted with a draft
AAG
15-9-21

Sent - (Kept clean copy with file)

To The Director, Dept of Geology
No 1904 Dt 21-9-21

States that no acquisition of lands can not be ordered as the price demanded by the holders of the land is really unreasonable and prohibitive.

DEWAN'S OFFICE
Recd. on SEP 9 1921
Reg. No. 1636

NOTE—Contn. sheet.

7810-

M. G. D. 12.

No. 1191
Encl: one

Dated. Bangalore, 11th Jan. 1921
17th

From

Geol 42-203

B. JAYA RAM, Esquire, F.G.S.,
Director, Mysore Geological Department.

5643

CHIEF SECRETARIAT.
13 JAN 1921
IV
MINOR Depts.
8 JAN 1921

To

C.S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of
H.H. the Maharaja of Mysore, Bangalore.

Sir,

I have the honor to invite a kind reference to Government Order No.G.6216-17/Geol.62-17-5, dated 25th September 1918, sanctioning the grant to Mr.V.Manickavelu Mudaliar, on certain conditions, of a Mining Lease over a block of $\frac{1}{8}$ square mile of land in the Nelamangala Taluk selected by him out of the area comprised in Prospecting License No.447. The lease is being executed and will be submitted shortly for the Dewan's signature.

2. Mr. Manickavelu Mudaliar has now applied for the acquisition, under the Mysore Land Acquisition Regulation, of the marginally noted lands in the mining block.

Survey No.14 containing 16 acres and 8 guntas in the Arjunabettanalli village.-
(1) 5 acres 12 guntas owned by Muthukrishna Pillay.
(2) 5 acres 19 guntas owned by Eera.
(3) 5 acres 17 guntas owned by Ajja.

He states that his endeavours to enter into an amicable settlement with the owners of the said lands have proved futile and that the lands are absolutely necessary for mining operations. He is also prepared to pay the compensation that may be decided by proper authority in respect of the said lands. A copy of his letter, dated 7th December 1920, is submitted herewith for the information of Government.

3. The acquisition of the lands appears to be necessary in the interests of the mining operations to be carried on by the lessee, and I accordingly solicit the kind sanction of Government to the same.

The favour of very early orders is requested

I have the honor to be,

Sir,

Your most obedient servant,

B. Rangnath

Director,

Mysore Geological Department.

CVV

Letter, dated 7th December 1926, from Mr V. Manickavelu Mudaliar, Bangalore, to the Director, Mysore Geological Deptt., Bangalore.

I have the honor to request that you may be kind enough to acquire on my behalf the marginally noted lands comprised in my Kaolin Mining Block in the Melamangala Taluk. My endeavours to enter into amicable settlement with the owners of the said lands have been fruitless and in one or two cases I have not been able to ascertain the rightful owners of the lands. These lands are absolutely necessary for carrying on mining operations and I shall be much obliged if you will kindly take very early steps for the acquisition of the said lands under the Mysore Land Acquisition Regulation: I am prepared to pay the amount of compensation decided by Government in respect of the lands. It may be stated here for your information that the lands are all Karab ones not fit for cultivation.

Survey No.14 containing 16 acres and 8 guntas in the Arjunabettahalli village.-
(1) 5 acres 12 guntas owned by Muthukrishna Pillay.
(2) 5 acres 19 guntas owned by Eera.
(3) 5 acres 17 guntas owned by Ajja.

"Copy"

B. Rangnekar

Director,
Mysore Geological Department.

K

A307

Geol 42-20-4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

GENERAL AND REVENUE SECRETARIAT,

No. G 15 926

Dated, Bangalore 14/2/1921

From

K. MATTHAN ESQ., B.A.,

Offg. *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

B. Jayaram Esq., F.G.S.,

Director, Department of Geology.

Sir,

With reference to your letter No.1191 dated the 11/17th January 1921, ~~Kxam~~ re the application of Mr.Manickavelu Mudaliar for the acquisition of certain lands under the Land Acquisition Regulation I am directed to request you to be so good as to let me know whether it is not necessary that the lease should first be executed before the acquisition of the lands comprised in it is ordered under Rule 57 of the Mining Rules and clause 34 of the Mining Lease.

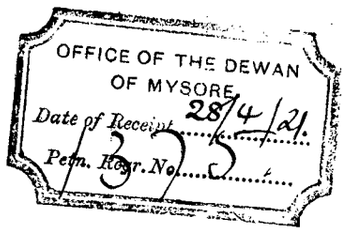
2. I am to add that Mr Mudaliar does not appear to have adduce ~~d~~ sufficiently valid grounds for acquiring the lands in question. All that he says is that his endeavours to enter into an amicable settlement with the owners have proved fruitless and that in one or two case he has not been able to ascertain the rightful owners of the lands. It is obviously his duty to find out who the owners are and ascertain their terms. No acquisition can be ordered unless Government are satisfied that the terms of the owners are unreasonable and the rights under the lease will be unduly restricted if this step is not adopted. I am accordingly to request you to be so good as to obtain all necessary further information from the lessee and submit a detailed report after obtaining the opinion of the local Revenue authorities concerned to enable Government to pass final orders in the matter.

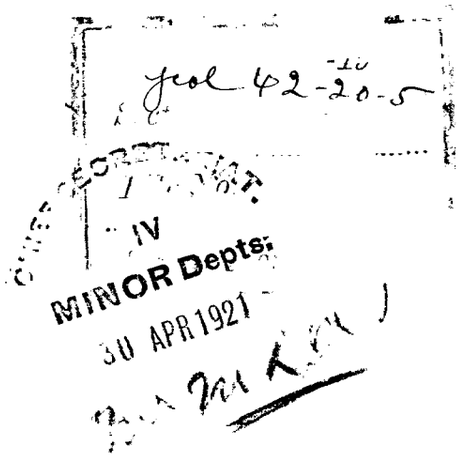
I have etc.

Offg) Secy

MB for chief secy

10626





To

Rajasevadhurina

Sirdar M.Kantharaj Urs, Esq., B.A., C.S.I.,

Dewan of Mysore, BANGALORE.

Most Honoured Sir,

I, the undersigned, humble memorialist, most respectfully, beg to bring the following to your kind notice and for favour of needful action:-

1. I am a Bricks & Tiles Contractor residing in Bangalore City. ~~I own~~ Survey No.14/1 (old No.48) of Arjunabettahalli Village, Nelavangala Taluq. This land has been in my possession and enjoyment for the past 10 years.

2. About the beginning of this year some of the people of a private Firm -Messrs.Macdonald Moore & Co., Ahmed Buildings, Chickpet, Bangalore City- unauthorisedly made huge excavations in the said land of mine, and removed therefrom thousands of tons of valuable earth fit for making Bricks & Tiles with. On learning of this I petitioned the Amildar of Nelavangala to get me redress and see that further damage was not done to my property. The Amildar referred me to my remedies in Courts of Law, Civil or Criminal or both. I thereupon issued a notice to the Firm, demanding reparation and requesting the stopping of further

operations

operations in the land. In the Firm's reply to me which was quite unrepentent and vague to a degree - a threat was held out that the Government would be moved to acquire the land for the Firm. Subsequently some overtures were made for a settlement, on terms which were thoroughly unacceptable, and the overtures were therefore rejected. It was then that I came to know that Mr.V.J.Manickaveloo Mudaliar, Promotor of - the Mysore Industrial Bank, had all along been working in concert with the abovenamed Firm, and that the above acts of high-handedness were perpetrated in my land as much at his instance, as at the instance of the officers and servants of the aforesaid Firm. I have also come to know that Mr.V.G.Manickaveloo Mudaliar holds a substantial interest in this Firm, and that in order to - coerce me to accept his terms and to deprive me of my - land, he has applied to the Government, either in his - own name or in the name of the Firm, for compulsory acquisition of this land at a nominal price to suit his own - ends.

3. I beg to submit for your kind consideration that, I have for years been carrying on my business as a Contractor with the help of this land, and that I shall be obliged to close my business, if the Government be so unjust to me as to grant the request of this influential gentleman Mr.Manickaveloo Mudaliar at the expense of a - humble citizen, your memorialist. Neither Mr.Manickveloo Mudaliar nor the Firm has yet paid me my damages, which on a most modest estimate amount to Rs.4,000/-. I have issued registered notices to them, and I intend taking action - against them shortly in Courts of Law. I beg to state - that, there is no justification whatever for the Government

to

to set in motion the machinery of the Land Acquisition Law to enrich ~~the~~ private firm or individual, as in the present instance.

4. For the reasons stated above, I humbly pray that you will be so good as to reject Mr.Manickaveloo Mudaliar's or the firm's application for compulsory - acquisition of my land. I also pray that the prospecting license or mining lease in respect to this land - which may have been granted to him or the firm by the Geological Department without my knowledge be ordered to be cancelled as the licensee or lessee has acted in violation of the terms of the license or lease and has become liable for the penalties prescribed in The Rules of Govt of 1916, re Prospecting + Mining Leases. Clauses 8 + 14 of Prospecting License Form on Pages 20 + 21 of the Rules, + Clause 33 of Mining Lease Form — Page 32. I am not aware if Mr.Manickaveloo Mudaliar or the firm has been granted any license or lease at all by the Geological Department in respect of this land. Even assuming it to be so still I venture to submit that all rights - under such a license or lease must be treated as forfeited, since the conditions of the grant, if any, have been - deliberately broken and offended against by the grantee.

I beg to remain,
Most Honoured Sir,
Your most obedient servant,

BANGALORE,
20th April 1921.

G. V. S. Dasgupta

11990

M. G. D. 12.

Camp Mysore,
No. 1978 Dated, ~~Bangalore~~, 14th June '2
Eeue one 178
Geol 42-20-6

4360 From

B. JAYA RAM, ESQUIRE, F.G.S.,
Director, Mysore Geological Department.

To

K. Matthan, Esq., B.A.,
Offg.Chief Secretary to the Government of
H.H. the Maharaja of Mysore, Camp Mysore.

Sir,

With reference to para.2 of your letter No.G.15928/ Geol.42-20-4, dated 14th February 1921, regarding the acquisition for Mr. V. Manickavelu Mudaliar for mining kaolin of certain lands in the village of Arjunabettahalli, Nelamangala Taluk, and reminders thereto, I have the honor to state that inasmuch as the grant of a mining lease over the lands in question has been sanctioned by Government and the execution and issue of the same are mere formal matters, and as the period of 30 years for which the lease is sanctioned will also count from the date of the expiry of the original prospecting license No.447, it does not appear to me to be necessary for the acquisition proceedings to be deferred until the lease is actually executed.

2. With regard to the information called for as to the endeavours made by Mr. Manickavelu Mudaliar to ascertain the terms of the owners of the surface rights of the lands in question for the transfer to him of their surface rights over them, I beg to forward herewith a copy of Mr. Manickavelu Mudaliar's letter, dated 3rd June 1921, and it would appear from the representations contained therein that the demands made by the owners of the surface

rights

rights are unreasonable and that the lessee cannot exercise the rights conferred by the lease over the lands in question unless they are acquired under the Land Acquisition Regulation.

3. As directed, the opinion of the local revenue authorities in the matter is now being called for and on its receipt a detailed report will be submitted for the final orders of Government.

I have the honor to be,

Sir,

Your most obedient servant,

B. Rao

Director,

Mysore Geological Department

Letter No.337, dated 3rd June 1921, from Mr. V, Manickavelu-Mudaliar, Ahmed Buildings, Bangalore city to the Director, Mysore Geological Department, Bangalore.

In reply to your letter No.1377, dated the 17th ebruary last regarding the acquisition of certain lands applied for by me within the area of my Kaolin Mining Block in the Nelamangala Taluq, I have the honour to state that I have spared no pains to effect an amicable settlement between the owners of those lands and myself in regard to the purchase of their surface rights. A large majority of the owners of surface rights of most of the lands compr sed in the block have sold their surface rights to me at Rs.10/- per acre, whereas certain other over-ambitious owners make exhorbitant and fanciful demands for mere waste and barren lands on which they cannot even grow grass. They seem to think that because the lands contain kaolin, they can get a much higher price for their surface rights than their neighbours who have sold them to me at Rs.10/- per acre, and want Rs.100/- per acre as noted hereunder:-

(1) Earappa wants Rs.400/- for 4 acres.
(2) Ajjaiya wants Rs.500/- for 5 acres.
(3) Basaiya wants Rs.260/- for about 2 acres.

The demand is obviously unreasonable and the claim fanciful I am prepared to give each of them even Rs15/- per acre. As these ryots are very stubborn and unreasonable, and as I am absolutely unable to carry on mining work in their lands owing to their obstructive attitude, and I beg that you will be kind enough to arrange for a very early acquisition of the lands applied for.

I enclose herewith for your kind perusal and return the original memos from the said ryots showing the demands made by them.

"Copy"

B. Jayaram

Director,

Mysore Geological Department

Dn. 446
9/8/21

M. G. D. 12.

No. 218
Genl. 2

Dated, Bangalore, 9/8/1921.

5609

Gpol 42-20-7

From

B. JAYA RAM, ESQUIRE, F.G.S.,
Director, Mysore Geological Department.

GEN & REV. SECTT.
9 AUG 1921

To

K. Matthan, Esq., B.A.,
Offg. Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

In continuation of para 3 of my letter No.1978, dated 14th June 1921, regarding the acquisition of certain lands in the village of Arjunabettahalli, Nelamangala Taluq, applied for by Mr. V. Manickavelu Mudaliar for carrying on operations under the mining lease sanctioned to him for Kaolin, I have the honour to forward herewith, for the information and orders of Government, a copy of a letter No.O.C.1201/20-21, dated 23/26th July 1921, from the Deputy Commissioner, Bangalore District, and its enclosures.

2. It will be seen from the enclosures to the Deputy Commissioner's letter that the plot of land required by Mr. V. Manickavelu Mudaliar is Survey No.14 of the aforesaid village of Arjunabettahalli, which measures 16 acres and 8 guntas, excluding Phut Kharab, and that it is divided into three sub divisions held by three different parties. A small extent of about one acre of these lands is stated to be under cultivation with ragi and other dry crops and the rest of the Survey No.14 is being used for grazing purposes.

3. The Panchayatdars of the village have valued the

cultivated

cultivated portion of the land at Rs.40/- and the uncultivated portion at Rs.30/- per acre, and this valuation seems to be fair in the opinion of the Assistant Commissioner in charge of the Dodballapur Sub Division. The occupants of two of the three sub divisions demand Rs.120/- per acre and it is stated that the presence of the occupant of the other sub division could not be secured.

4. Considering the huge disproportion that exists between the valuation made by the Panchayatdars and the demand made by the aforesaid occupants, it is apparent that the latter are unreasonable and it seems, therefore, necessary that the lands in question should be acquired under the provisions of the Land Acquisition Regulation. I beg to recommend, therefore, that the acquisition may kindly be ordered by Government at a very early date.

I have the honour to be,

Sir,

Your most obedient servant,

B. Jagannatha Rao

Director,

Mysore Geological Department.

NVN/

Letter, No.O.C.1201/20-21, dated 23/26th July 1921, from the Deputy Commissioner, Bangalore District, Bangalor to the Director, Mysore Geological Department, Bangalore.

With reference to your No.1979, dated the 14/17th June 1921, re. the valuation of certain lands included in the Mining Block, granted to Mr. Manickavelu Mudaliar, I have the honour to enclose herein the copy of Nelamangala Taluk Amildar's report No.16, dated the 6th instant and the Dodballapur Sub Division Officer's memo thereon from which it will be seen that the cultivated portion of the land is valued at Rs.40/- and the uncultivated portion at Rs.30/- per acre.

"Copy"

B. Jayaram

Director,

Mysore Geological Department.

Report No.16

Submitted. This morning I inspected the land proposed to be acquired for the Kaolin Mining Block, viz. land S.No.14 of Arjunabettahalli village, Kasba Hobli measuring 16 acres 8 guntas excluding Phut Kharab of 0-9 guntas and assessed at Rs.18-0-0. This land is subdivided into three portions. The first sub division measuring 5 acres and 12 guntas and assessed at Rs.5-12-0 is in the holding of one Muddukrishna Pillai, a resident of Bangalore. The second sub division measuring 5 acres 19 guntas and assessed at Rs.6-4-0 is in the holding of one Era son of Erakemba of Arjunabettahalli. The third sub division measuring 5 acres 17 guntas and assessed at Rs.6-0-0 is in the holding of Ajja son of Kurla of Arjunabettahalli. All these are dry lands and except an extent of about one acre, in the third sub division which is being cultivated with ragi and other dry crop, the rest of the survey number is being used for grazing purposes. Of the three owners of the presence of the first could not be secured. The other two have signified their consent to give up the lands but ask for compensation at the rate of Rs.120/- per acre. Their statements are enclosed for favour of perusal. The panchayetdars who were consulted in regard to the price that may be paid for this land have stated that the uncultivated portion may be valued at Rs.30/- an acre and the cultivated portion at Rs.40/- an acre. The highest rate prevailing in the village for dry lands, I learn, is about Rs.150/- an acre. The proposed land being situated at some distance from the village and not being improved upon. I am of opinion that the rate fixed by the panchayetdars is very fair. Mr. Manickavelu Mudaliar has stated that a majority of the owners of most of the lands comprised in the block have sold their surface rights at Rs.10/- an acre. But my enquiries go to show that only one of the Survey Nos. included in the block viz., No.13 of Arjunabettahalli measuring 5-20 guntas and assessed at Rs.6-8-0 was sold to Him by its owner one Kempa for about Rs.40, The sale I understand was about three years ago and the circumstances under which it was sold so low could

ot be ascertained as the owners had died. From my personal inspection of the land and the enquiries made I am of opinion that the rice of Rs.30/- an acre is quite fair. The mahazar drawn up by the Panchayetdars is enclosed for reference.

6th July 1921.

Sd/ R. Shama Iyengar,
Amildar.

N.Dis. C.H.959 of 20-21 dated 19th July 1921.

Submitted to the Deputy Commissioner, Bangalore District, with reference to his No.O.C.1201 of 20-21, dated 24th June 1921. The Amildar once says that Rs.40/- is a fair valuation and when closing it is Rs.30/-. Rs.30/- for uncultivated portion and Rs.40/- for the cultivated portion as per panchayetdars seems to be fair.

Sd/ A. Krishnaswami Iyengar,
Assistant Commissioner,
Dodballapur Sub Division.

"Copy"

B. Jagannatha Rao
Director
Mysore Geological Department.

No 1904 / Gol 42-20-8
Dy 21-9-21.

The Director of Geology.

Sir,

With reference to correspondence ending with your letter No. 218 dated 9th August 1921 recommending the acquisition of the surface rights in S.No. 14 of Arjunabettahalli village in the Nelamangala taluk on behalf of Mr. V. Manickvelu Mudaliar on the ground that his endeavours to enter into an amicable settlement with the surface owners of the land have proved futile but that the land in question is necessary for carrying on mining operations, am directed to state that Government cannot order the acquisition of the lands as they consider that the price demanded b the holders of the land is neither unreasonable nor prohibitive.

I have etc.,

(Sd.) M.S. Ramachandra Rao
for Secy to Govt, Gl Dept

G. R. S. VI—~~2492~~

SUBJECT.....

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Diary No. of letter replied to—

Section Geol
File No. 42-20.
Serial No. 8

General and Revenue Secretariat
( )
the 191

No. 1904

To The Director, Dept of Geology

Sir

Date of issue 21/9/21

Signed by M.R.M.S.R.

With reference to correspondence ending with your letter no 218 dt 9-8-2 the Surface rights of recommending the acquisition of 8.50 of Aryanabetta Palli village in the Nelamangala Taluk on behalf of the Manickavelu Naicker on the ground that his endeavours to enter into an amicable settlement with the surface owners of the land have proved fruitless but the land in question is necessary for carrying on mining operations, I am

over.

directed to state that Govt consider that ~~the intervention of Govt to acquire the lands at~~ the price demanded by the holders of land cannot be said to be unreasonable and accordingly ~~direct~~ Conside that no intervention on the part is called for.

I have etc

for Chief Secy Govt of Bombay

Secondly as the acquisition of the lands as the Govt consider that the price demanded of the holders of the land is neither unreasonable nor prohibitive Mr Mackarness must therefore be directed to make the purchase

Yes
Yes

List of enclosures.

Copied by

Examined by